

BENNETT JONES

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DEC 30 2005

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DATE December 30, 2005

This is the first page of 8

FROM Roseann Caldwell

LAWYER NO 472 FILE NO 32361-265

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MESSAGE

USSN 10/526,360 - Bruno H. Walter et al

Response to Notification of Missing Requirements

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DEC 30 2005

Docket 32361-265

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re:  
Applicant: WALTER, Bruno, H. *et al* Group Art Unit: Not Yet Known  
Serial No.: 10/526,360 Examiner: Not Yet Known  
Filed: September 5, 2003  
For: "EXPANDABLE BIT"

Honourable Commissioner of Patents  
and Trademarks,  
Randolph Building, 401 Dulany Street,  
Alexandria, VA 22314  
U.S.A.

Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US)**

Applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for responding to the Response to Notification of Missing Requirements dated September 30, 2005 for a period of one month from November 30, 2005 until December 30, 2005 so that completion requirements can be filed.

In response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) dated September 30, 2005, please find enclosed:

1. A copy of the Notice dated September 30, 2005.
2. A Declaration in compliance with 37 CFR 1.497(a) and (b) properly signed by the inventor and identifying the application by the Application Number and Filing Date.

3. Please charge TWO HUNDRED AND FIFTY DOLLARS (\$250.00) for payment of the surcharge (\$130.00) and one month's extension fee (\$120.00) to our American Express credit card on file. Enclosed is the Credit Card Payment Form. The Commissioner is also hereby authorized to charge any additional fees which may be required, or credit any overpayment to our American Express credit card as noted on the Credit Card Payment form.

Favorable consideration is respectfully requested.

Respectfully submitted,

Roseann B. Caldwell, Reg. No. 37,077

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Date: December 30, 2005

01/05/2006 GREY1 00000139 10526360

01 FC:1617	130.00 CP
02 FC:1251	120.00 OP

Rec'd PCT/PTO 30 DEC 2005

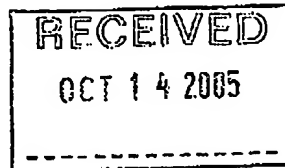


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,360	Bruno H Walter	32361-265

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INTERNATIONAL APPLICATION NO.	
PCT/CA03/01305	
I.A. FILING DATE	PRIORITY DATE
09/05/2003	09/06/2002

CONFIRMATION NO. 8956  
371 FORMALITIES LETTER



Date Mailed: 09/30/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/02/2005
- Copy of the International Search Report filed on 03/02/2005
- Preliminary Amendments filed on 03/02/2005
- Information Disclosure Statements filed on 03/02/2005
- U.S. Basic National Fees filed on 03/02/2005
- Priority Documents filed on 03/02/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

DOCKETED

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,360	PCT/CA03/01305	32361-265

FORM PCT/DO/EO/905 (371 Formalities Notice)